IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3305 of 2006

RAM KISHAN UPADHYAY
V/S
DEBT RECOVERY TRIBUNAL & ORS.

Mr. GJ GUPTA, for the appellant / petitioner

Mr. P K LOHRA, for the respondent

Date of Order : 1.2.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

For the present purpose the service of respondent no. 6 is dispensed with.

Mr. Lohra submits that the order challenged in this writ petition is appealable under Section 30 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993. In that view of the matter, the writ petition is not maintainable.

Learned counsel for the petitioner, on the other hand, submits that at the time when the writ petition was filed there was no presiding officer available in the appellate forum. But then I do not find any such averment in the writ petition. Not only that despite specific objection in this regard being taken by way of preliminary objection, no steps have been taken by the petitioner.

In that view of the matter I am not inclined to entertain the writ petition. The same is, therefore, dismissed as not maintainable.

(N P GUPTA),J.

/Sushil/